

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE CENTER FOR DISCOVERY INC

Plaintiff(s), Petitioner(s)

against

RE/MAX BENCHMARK REALTY, ET AL

Defendant(s), Respondent(s)

ATTORNEY: Moritt, Hock, Hamroff & Horowitz, LLP.

Index No.: 10 CV 7757

DATE OF FILING: 10/12/2010

AFFIDAVIT OF SERVICE

STATE OF N.Y.: COUNTY OF NASSAU: ss:

I, Thomas Arleo, being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in Huntington, NY.

That on **October 21, 2010 at 1:04 PM at Old Glory Mall, 95-1 Maher Lane, Harriman, NY 10926**, deponent served the **Summons in a Civil Action & Civil Complaint & Notice of Pendency upon Re/Max Benchmark Realty**, defendant/respondent/recipient herein .

Said service was effected in the following manner;

By delivering to and leaving a true copy of each to **Michael Fradianni** personally, a person who stated to be an authorized agent to receive process service for **Re/Max Benchmark Realty**. Deponent knew said business so served to be the business described in said Summons in a Civil Action & Civil Complaint & Notice of Pendency as said defendant/respondent/recipient. Deponent knew the individual accepting service to be an/the **Authorized Agent** thereof.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows: Sex: **Male** Skin: **White** Hair: **Grayish Brown** Age(Approx): **50** Height(Approx): **5' 9"** Weight(Approx): **180-190 lbs**

Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to before me on October 22, 2010

Thomas Arleo, License No. 1272717

Craig E. Eisenberg
Notary Public, State of New York
Registration No. 01E16030725
Qualified in Suffolk County
Commission Expires September 20, 2013

Executive Attorney Service (516) 333-3447
Case No.: 118868

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That on **October 21, 2010 at 1:04 PM at Old Glory Mall, 95-1 Maher Lane, Harriman, NY 10926**, deponent served the **Summons in a Civil Action & Civil Complaint & Notice of Pendency** upon **Michael Fradianni**, defendant/respondent/recipient herein .

Said service was effected in the following manner;

By delivering thereat a true copy *of each* to **Michael Fradianni**, personally; deponent knew said person so served to be the person mentioned and described as said defendant/respondent/recipient therein.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows: Sex: **Male** Skin: **White** Hair: **Grayish Brown** Age(Approx): **50** Height(Approx): **5' 9"** Weight(Approx): **180-190 lbs**

Other:

I asked the defendant/respondent/recipient if he/she was in active military service of the United States or the State of New York in any capacity and received a negative reply. Defendant/respondent/recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the defendant/respondent/recipient is not in the military service of New York State or the United States as that term is defined in the statutes of New York State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to before me on October 22 2010

Craig L. Eisenberg
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